

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF Nos. 21967, 22009

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.

v.

ARROYO BOLERIN, *et al.*,

Movants.

**URGENT CONSENSUAL MOTION FOR  
EXTENSION OF DEADLINES AND ADJOURNMENT OF HEARING  
REGARDING REQUEST FOR COMFORT ORDER PURSUANT 11 USC §362(i)**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To The Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth” or the “Debtor”) in this Title III case pursuant to section 315(b) of the *Puerto Rico Oversight, Management and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submits this urgent motion for an order extending the briefing schedule and adjourning the hearing in connection with the *Request For Comfort Order Pursuant 11 USC §362(j)* [ECF No. 21967] (the “Motion”) and represents as follows:

### **REQUEST FOR RELIEF**

1. On August 29 2022, Aníbal Arroyo Bolerín, Rosa Idalia Orengo Rohena, Ada Norely López Santiago, Arinda Colón Colón, and Jennifer Blest Quiroz (collectively, “Movants”), filed the Motion, seeking relief and a comfort order with respect to the automatic stay, as described further in the Motion.

2. On August 31, 2022, the court entered the *Order Scheduling Briefing and Argument of Request for Comfort Order Pursuant 11 USC § 362(J)* [ECF No. 22009] (the “Scheduling Order”), which established a deadline of September 6, 2022 at 5:00 p.m. (AST) for the filing of any responsive papers (the “Objection Deadline”) and a deadline of September 13, 2022 at 5:00 p.m. (AST) for the filing of Movants’ reply papers (the “Reply Deadline”), with the Motion to be heard in connection with the September 21, 2022 Omnibus Hearing (the “Hearing”).

3. The Commonwealth and Movants continue to work collaboratively to seek a consensual resolution of the Motion, if possible. The Commonwealth conferred with Movants’

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<sup>2</sup> PROMESA is codified at 48 U.S.C §§ 2101-2241.

counsel, who consents to the requested extension to allow time for the parties to continue to discuss a potential consensual resolution of the Motion.

4. Accordingly, with the Movants' consent, the Debtor respectfully requests that the Court enter an order, substantially in the form attached hereto as **Exhibit A** (the "**Proposed Order**"), extending the Objection Deadline and Reply Deadline, and adjourning the Hearing as follows:

- a. the Objection Deadline shall be extended to **September 20, 2022 at 5:00 p.m. (prevailing Atlantic Time)**,
- b. the Reply Deadline shall be extended to **September 27, 2022 at 5:00 p.m. (prevailing Atlantic Time)**,
- c. the Hearing shall be adjourned to the November 2, 2022 Omnibus Hearing.

5. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1 in Case No. 17-3283] (the "**Case Management Procedures**"), the Debtor hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Movants consent to the relief requested herein.

6. The Debtor submits that, in light of the nature of the relief requested herein, no other or further notice need be given.

*[Remainder of Page Left Intentionally Blank]*

WHEREFORE the Debtor requests the Court enter the Proposed Order and grant such other relief as is deemed just and proper.

Dated: September 6, 2022  
San Juan, Puerto Rico

Respectfully submitted,

**PROSKAUER ROSE LLP**

/s/ Brian S. Rosen

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**CERTIFICATE OF SERVICE**

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer  
Hermann D. Bauer

**EXHIBIT A**

**Proposed Order**

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

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THE FINANCIAL OVERSIGHT AND  
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COMMONWEALTH OF PUERTO RICO *et al.*,

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v.

ARROYO BOLERIN, *et al.*,

Movants.

**[PROPOSED] ORDER GRANTING URGENT CONSENSUAL MOTION FOR  
EXTENSION OF DEADLINES AND ADJOURNMENT OF HEARING  
REGARDING REQUEST FOR COMFORT ORDER PURSUANT 11 USC §362(i)**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon the *Urgent Consensual Motion for Extension of Deadlines and Adjournment of Hearing Regarding Request for Comfort Order Pursuant 11 USC §362(j)* [Docket Entry No. \_\_\_\_] (the “Urgent Motion”);<sup>2</sup> and the Court having found it has subject-matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue in this district is proper pursuant to PROMESA section 307(a); and the Court having found the Debtor provided adequate and appropriate notice of the Urgent Motion under the circumstances and no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found good and sufficient cause exists for the granting of the relief as set forth herein:

1. The Urgent Motion is **GRANTED** as set forth herein.
2. The Scheduling Order shall be modified as provided herein.
3. The deadline for parties to file an opposition to the Motion shall be **September 20, 2022 at 5:00 p.m. (AST)**.
4. The deadline for the Movants to file a reply to all oppositions and responses shall be **September 27, 2022 at 5:00 p.m. (AST)**.
5. The Motion will be heard in connection with the Omnibus Hearing scheduled on November 2, 2022.
6. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: \_\_\_\_\_, 2022.

SO ORDERED:

\_\_\_\_\_  
HONORABLE LAURA TAYLOR SWAIN  
United States District Judge

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings given to them in the Urgent Motion.